

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

VICENTE JUAREZ HUERTA,)	
)	
Petitioner,)	
)	
v.)	1:14CV306
)	
FRANK L. PERRY,)	
)	
Respondent.)	

ORDER

On March 26, 2015, the United States Magistrate Judge's Recommendation was filed and notice was served on Petitioner pursuant to 28 U.S.C. § 636. Petitioner filed objections (ECF No. 12) to the Recommendation within the time limit prescribed by Section 636, and, as part of those objections, Petitioner requested appointment of counsel. The Court has reviewed Petitioner's objections *de novo* and finds they do not change the substance of the United States Magistrate Judge's Recommendation (ECF No. 10), which is affirmed and adopted. Moreover, the Court finds no basis for the appointment of counsel.

IT IS THEREFORE ORDERED that Respondent's Motion for Summary Judgment (ECF No. 5) is GRANTED, the Petition (ECF No. 2) is DENIED, and this action is DISMISSED, and that, finding no substantial issue for appeal concerning the denial of a constitutional right affecting the conviction, nor a debatable procedural ruling, a certificate

of appealability is DENIED. To the extent Petitioner moves for appointment of counsel, that request is DENIED.

This, the 15th day of May, 2015.

/s/ Loretta C. Biggs
United States District Judge